

REMARKS OF INDIANA SUPREME COURT JUSTICE FRANK SULLIVAN, JR.,  
TO A MEETING OF THE INDIANA COMMISSION ON COURTS

Indianapolis, Indiana  
August 17, 2000

Mr. Chairman, last year, the Supreme Court formed a Judicial Technology and Automation Committee (J-TAC) under my chairmanship. Other members of our committee are Judges Cynthia Ayers of Indianapolis, Sherry L. Biddinger-Gregg of Vincennes, Christopher L. Burnham of Martinsville, Dean A. Colvin of Plymouth, Jeffery J. Dywan of Merrillville, Paul Mathias and Ted Najam of the Court of Appeals, and Loretta H. Rush of Lafayette. The mission of J-TAC is to advise the Indiana Supreme Court on a vision and strategy for the Indiana judicial system, including courts and court clerks, to use information technology to serve the people of Indiana.

In order to facilitate J-TAC's mission, Kurt Snyder was recently appointed by the Office of State Court Administration as the Director and Counsel of Trial Court Technology. Kurt is a lawyer who until recently had major automation, data management, and Internet responsibilities for the American Bar Association in its role as the accrediting body for and source of standardized information about American law schools.

Currently, J-TAC is working hard to implement two exciting initiatives.

The first J-TAC initiative is to ensure that each judge and each court clerk in the state is up and running on e-mail and the Internet. With the help of the \$300,000 technology assistance grant from the Criminal Justice Institute, we hope to have this goal accomplished by the end of September. This will vastly improve our ability to communicate with one another. In addition, Internet access will allow courts to access a wealth of resources provided by the Indiana Judicial Center and on-line providers of legal information.

The second J-TAC initiative has much broader in scope and impact. This fall, J-TAC will submit a proposal to the Budget Committee and General Assembly requesting funding to implement judicial information technology initiatives. The request is expected to be comprehensive in nature and, if implemented, will be an important step toward bringing Indiana's judicial information technology into the 21<sup>st</sup> century. The Supreme Court and J-TAC strongly believe that implementation of such a plan will improve the service Hoosiers receive from their courts in a cost-effective way.

What we want to do is improve trial court computerized case management systems and the sharing of electronic data -- improve trial court computerized case management systems and the sharing of electronic data -- with and among (1) trial and appellate courts and those courts' clerks, (2) county-based and statewide agencies and organizations that provide information to and receive information from courts and court clerks, (3) the general public, and (4) the General Assembly, other state policymakers, and the Division of State Court Administration.

In light of the forthcoming state funding request and in an effort to reduce the very real potential of having to try to link together an even greater number of incompatible courts and clerk systems than exist today, J-TAC has urged all courts and clerks to minimize or forgo any major changes in their in-

formation technology or automation systems until the vision and strategy for future judicial information technology takes shape and a funding request is considered by the General Assembly.

Let me briefly mention our goals at six different levels of our effort to improve trial court case management systems and the sharing of electronic data and then identify a few principles that will be guiding our effort.

First, each trial court needs to have a case management system that meets certain minimum standards. We have approximately 350 trial courts in Indiana. Many of them have good systems for managing their caseload; some have systems that are becoming obsolete; and some are still in the typewriter era. We need to assure that each and every one of them has a 21st century case management system.

Second, within each county, the court clerk and each trial court needs access to the information in each other's case management system in order to assign and track cases and to obtain and share information. The systems we develop need to be fully integrated within each county court system.

Third, entities and individuals within each county other than the courts need and use information from court case files -- the prosecutor, the sheriff, the office of family and children, lawyers, real estate agents, etc. And the courts use information generated by such entities and individuals. The systems we develop need to be able to handle the transfer of this kind of information back and forth.

Fourth, with growing frequency information in the possession of a court or court clerk in one county of Indiana is needed by or useful to courts and court clerks in other Indiana counties. The systems we develop need to be able to handle the transfer of this kind of information to courts and court clerks across county lines.

Fifth, just as there are non-court entities and individuals that use court information at the county level, there are such entities and individuals at the state level as well. The most obvious use is that made by law enforcement -- state police, corrections, and BMV -- and major amounts have been invested in criminal history data bases, for example. The systems we develop need to build upon the work already done in this area.

Sixth, sound policy decisions about Indiana's court system -- decisions made by our court, by this commission, and by the General Assembly as a whole -- depend on timely, accurate data. The systems we develop need to provide for the collection and timely transfer to policy makers of relevant statistics and other information on caseloads, revenue generation, performance and the like.

As we go about developing our plan, several principles guide our work, three of which I want to emphasize here.

First, we will be working in partnership with many other entities developing this plan, most notably county court clerks, law enforcement, and the executive branch of state government. We have already had constructive discussion with representatives of the clerks, the State Police, and the state's Chief Information Officer. Precisely because sharing information is part of the central goal, collaboration in the design of the system is absolutely mandatory.

Second, one of the ways in which information can be shared efficiently and effectively is through the use of technology such as the Internet and data warehousing. JTAC members and staff are actively exploring these and other exciting and innovative technologies.

Third, implementation of such a system will raise a host of critical public policy questions -- how will such a system be financed? How will it be managed? How will appropriate levels of privacy and security be assured? These, of course, are not questions that the judiciary will be able to answer alone. Only through close consultation with the other two branches of government and with local government will these non-technological considerations be addressed properly. It is our hope that, as in so many other areas, we will be able to work closely with the Commission on Courts on these vital matters.

Mr. Chairman, I am grateful for the opportunity to make this report on what is for me a most exciting endeavor to improve the service Hoosiers receive from their courts. And I would be pleased to answer any questions.

Thank you.

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